

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of HART et al.

Appln. No: not yet known

Cont. of Appln. No.: 09/337,946

Group Art Unit: 1648

Filed: October 29, 2003

Examiner: D. Wortman

Title: EBOLA VIRION PROTEINS EXPRESSED FROM VENEZUELAN EQUINE  
ENCEPHALITIS VIRUS REPLICONS

October 29, 2003

**STATEMENT PURSUANT TO 37 CFR 1.198(d)**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

In connection with the above-identified continuation application, Applicants have filed concurrently herewith an Information Disclosure Statement and corresponding PTO-1449 form citing a number of references. Copies of all the references cited on the PTO-1449 form were submitted and considered in parent application Serial No. 09/337,946 (filed 6-22-99). Pursuant to 37 CFR 1.198(d), copies of these references are not required to be supplied in this continuation application.

By: 

Marlana K. Titus, Reg. No. 35,843  
for: Elizabeth Arwine, Reg. No. 45,867  
Attorney for Applicants  
U.S. Army Medical Research  
and Materiel Command  
504 Scott St., ATTN: MCMR-JA  
Fort Detrick, MD 21702-5012

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> <b>(Under 37 CFR 1.97(b) or 1.97(c))</b>			Docket No. <b>Army144(cont)</b>
In Re Application Of: <b>Hart et al.</b>			
Serial No. <b>not known</b>	Filing Date <b>October 29, 2003</b>	Examiner <b>D. Wortmann</b>	Group Art Unit <b>1648</b>
Title: <b>Ebola Virion Proteins Expressed from Venezuelan Equine Encephalitis Virus Replicons</b>			
Address to: <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>  <b>37 CFR 1.97(b)</b>  1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.  <b>37 CFR 1.97(c)</b>  2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:  <div style="margin-left: 40px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e);   <div style="text-align: center;"><b>OR</b></div> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). </div>			

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
Army144(cont)

In Re Application: Hart et al.

Serial No.  
not known

Filing Date  
October 29, 2003

Examiner  
D. Wortmann

Group Art Unit  
1648

**Ebola Virion Proteins Expressed from Venezuelan Equine Encephalitis Virus Replicons**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- ☐ Charge the amount of \_\_\_\_\_
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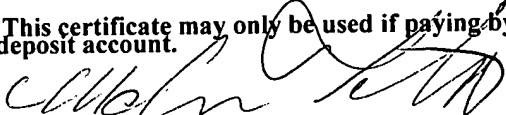
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\_\_\_\_\_  
Signature

Dated: October 29, 2003

Marlana Titus, Reg. No. 35,843  
for Elizabeth Arwine, Reg. No. 45,867  
U.S. Army Medical Research and Materiel Command  
504 Scott Street  
Ft. Detrick, MD 21702-5012

cc:



# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

Army-144

Application Number

09/337,946

Applicant(s)

Hart et al.

Filing Date

10-29-03

Group Art Unit

1648

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Grieder et al., "Specific Restrictions in the Progression of Venezuelan Equine Encephalitis Virus-Induced Disease Resulting from Single Amino Acid Changes in the Glycoproteins", Virology 206, pp. 994-1006 (1995).

Pushko et al., "Replicon-Helper Systems from Attenuated Venezuelan Equine Encephalitis Virus: Expression of Heterologous Genes in Vitro and Immunization against Heterologous Pathogens in Vivo", Virology 239, 389-401 (1997).

Hart et al., "Priming of anti-human immunodeficiency virus (HIV) CD8+ cytotoxic T cells in vivo by carrier-free HIV synthetic peptides", PNAS USA, Vol. 88, pp. 9448-9452, Nov. 1991.

Sanchez et al., "Sequence analysis of the Ebola virus genome: organization, genetic elements, and comparison with the genome of Marburg virus", Virus Research, 29 (1993) 215-240.

Nicolet and Paulnock, "Promoter Analysis of an Interferon-Inducible Gene Associated with Macrophage Activation", J. Immunology, 1994, pp. 152-162.

Vanderzanden et al., "DNA vaccines expressing either the GP or NP genes of Ebola virus protect mice from lethal challenge", Virology 246, pp. 134-144 (1998).

Sanchez et al., "The nucleoprotein gene of Ebola virus: cloning, sequencing, and in vitro expression", Virology 170, pp. 81-91 (1989).

Volchkov et al., "GP mRNA of Ebola virus is edited by the Ebola virus polymerase and by T7 and vaccinia virus polymerases", Virology 214, pp. 421-430 (1995).

Gilligan, et al., "Assessment of Protective Immunity Conferred by Recombinant Vaccinia Viruses to Guinea Pigs Challenged with Ebola Virus", Vaccines 97, 1997, pp. 87-92.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

GROUP	1648
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OTHER DOCUMENTS (including Author, Title, Date, Page Number)		
	C	PCT International Search Report for international application no. PCT/US99/14311 (corresponding to US application serial no. 09/337,946), dated June 14, 2000 (8 pages)
	D	Xu, et al., "Immunization for Ebola virus infection", Nature Medicine, Vol. 4, No. 1, January 1998, pages 37-42.

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Use several sheets if necessary)

Application Number  
Cont. app. of 09/337,946

**Applicant(s)**  
**Hart et al.**

Filing Date. 10-29-05

Group Art Unit	1648
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**EXAMINER**

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